

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SARVJIT S. CHOWDHARY,

Plaintiff,

Case No. 12-11145

Honorable Thomas L. Ludington

v.

TOM J. VILSACK, SECRETARY,
UNITED STATES DEPARTMENT
OF AGRICULTURE,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
PLAINTIFF'S APPLICATION TO PROCEED IN FORMA PAUPERIS**

United States Magistrate Judge Charles E. Binder issued a report and recommendation (ECF No. 5) on March 27, 2012, recommending that Plaintiff Sarvjit Chowdhary's application to proceed in forma pauperis be denied because Plaintiff's financial affidavit reflected that he possessed the financial ability to cover the costs of litigation without undue hardship. Either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that Judge Binder's report and recommendation (ECF No. 5) is **ADOPTED**.

It is further **ORDERED** that Plaintiff's application to proceed in forma pauperis (ECF No. 3) is **DENIED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: April 23, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means and on Sarvjit S. Chowdhary, 774 Stoneridge Drive, Mt. Pleasant, MI 48858 by first class U.S. mail on April 23, 2012.

s/Tracy A. Jacobs
TRACY A. JACOBS